

## STATEMENT OF FACTS

Your affiant, David Elias, is a special agent assigned to the Federal Bureau of Investigation Washington Field Office, Northern Virginia Resident Agency (“NVRA”). In my duties as a special agent, I investigate criminal matters. Currently, I am tasked with investigating federal public corruption, as well as criminal activity in and around the United States Capitol (“U.S. Capitol”) grounds on January 6, 2021. As a special agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the U.S. Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the U.S. Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. (all times herein are Eastern Standard Time). Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the U.S. Capitol and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the U.S. Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the U.S. Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage, which appeared to be captured on mobile devices and closed captioning cameras, of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Open-source video and security cameras captured multiple images of Ralph Joseph CELENTANO III (“CELENTANO”), of Broad Channel, New York (“NY”), participating in the riot at the U.S. Capitol on January 6, 2021 (depicted in the compilation of photos entitled **Image 1**). CELENTANO’s longer hair, two-toned jacket, flag, and folding chair affixed to his back/backpack make him distinctive in the crowd.



**Image 1**

FBI received information indicating that the person depicted in Be On the Lookout (BOLO)107 was found in a photograph publicly posted to a social media account. The photograph in question was posted to a public Instagram account and described as a group photograph of approximately 20 individuals attending a social function at an unknown location in New York (**Image 2**).



**Image 2**

Subsequent investigation and open-source research conducted by the FBI has positively identified the female circled in orange as J.M.B. in **Image 2** and the male circled in red as Ralph Joseph CELENTANO III (“CELENTANO”). J.M.B. was identified as a current resident of Broad Channel, New York and as a friend/possible significant other of CELENTANO.

Investigation by the FBI identified the same Instagram photograph as also being posted to a publicly accessible Facebook page associated with The Jenny Albert Sea Turtle Foundation (“JASTF”). FBI believes **Image 2** was taken in conjunction with a JASTF March 31, 2018 fundraiser in Broad Channel, New York.

FBI interviewed Witness 1, who is a volunteer for JASTF. Witness 1 stated that he/she was a member of JASTF and was able to recognize other members. Witness 1 identified Ralphie or Ralph as the individual circled in red in **Image 2**. Witness 2 also identified J.M.B. as Ralph’s on and off again girlfriend.

Witness 2 has known CELENTANO for over 13 years. Witness 2 confirmed that CELENTANO lives in Broad Channel, New York with J.M.B. Witness 2 positively identified CELENTANO in **Images 3, 4, 5, 6, and 7**, all from January 6, 2021.



Image 3



Image 4



Image 5



Image 6



Image 7

EZ Pass toll transponder information was then collected and connected to CELENTANO's friend/significant other, J.M.B. EZ Pass and New York License Plate Reader data identified J.M.B.'s vehicle departing Broad Channel, New York on the morning of January 6, 2021, at approximately 3:00 a.m., and returning to Broad Channel, New York on the evening of January 7, 2021, at approximately 7:30 p.m.

An open-source video, depicting the events of January 6, 2021, entitled "Washington DC Capitol Breach," depicts CELENTANO on the west terrace of the U.S. Capitol. CELENTANO is visible in this video approaching a uniformed Capitol Police Officer K.E. from behind,

making physical contact, and causing officer K.E. to fall over a ledge as depicted in **Images 8, 9, and 10**. Your affiant believes CELENTANO is the person who pushed officer K.E. based on his hair length, jacket, flag he carried, and very distinct folding chair strapped to his back.



Image 8



Image 9



**Image 10**

Officer K.E. was interviewed and recalls being “blind-sided” from behind in a “football-type tackle” without warning, causing him to fall over the ledge to the terrace below. Officer K.E. stated his main concern was getting up so he would not be “stomped on.” He went on to state that he was frightened and no longer felt safe once he was on the lower terrace amongst such a large crowd. Officer K.E. said he probably sustained injuries during the fall, but he had so much adrenaline at that time that he could not be sure. After January 6, 2021, Officer K.E. did find bumps and bruises on his body but did not seek medical attention. Officer K.E., an Iraq war veteran, recalled thinking “I didn’t survive a war to go out like this.”

Body Worn Camera (“BWC”) video footage obtained from District of Columbia Metropolitan Police Department (“MPD”) in furtherance of this investigation provided additional evidence of CELENTANO engaging in several physical altercations with uniformed law enforcement personnel on the grounds of the United States Capitol. These physical altercations are in addition to the assault on Officer K.E. These altercations are depicted in **Images 11, 12, 13, 14, 15, and 16**. Based on his hair, clothing, and folding chair affixed to his backpack, your affiant believes CELENTANO is the assailant in these images.



Image 11



Image 12



Image 13



Image 14



Image 15



Image 16

Based on the foregoing, your affiant submits that there is probable cause to believe that Ralph CELENTANO violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties.

Additionally, your affiant submits there is probable cause to believe that Ralph CELENTANO violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof.

Further, based on the foregoing, your affiant submits that there is probable cause to believe that Ralph CELENTANO violated 18 U.S.C. §§ 1752(a)(1), (2), and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; and (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily

visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Finally, your affiant submits there is probable cause to believe that Ralph CELENTANO violated 40 U.S.C. §§ 5104(e)(2)(D), and (F), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.



DAVID ELIAS  
SPECIAL AGENT  
FEDERAL BUREAU OF  
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by telephone, this 2 day of March 2022.

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HONORABLE ZIA M. FARUQUI  
UNITED STATES MAGISTRATE JUDGE